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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/769,551	01/30/2004	Russell Steel	2562.SMII.NP

CONFIRMATION NO. 5856

## FORMALITIES LETTER



\*OC000000013021336\*

26986

MORRIS O'BRYANT COMPAGNI, P.C.  
 136 SOUTH MAIN STREET  
 SUITE 700  
 SALT LAKE CITY, UT 84101

Date Mailed: 06/22/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/26/2004 MAHME1 00000022 10769551

01 FC:1001  
 02 FC:1051

770.00 OP  
 130.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 1,2,3,7,10-14,17.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to:   Mail Stop Missing Parts  
  Commissioner for Patents  
  P.O. Box 1450  
  Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



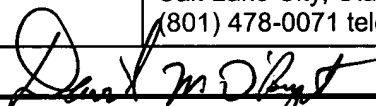
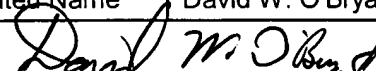
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Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



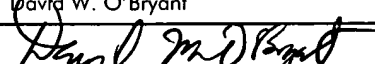
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	10/769,551	
	<b>Filing Date</b>	January 30, 2004	
	<b>First Named Inventor</b>	Russell Steel	
	<b>Group Art Unit</b>	3742	
	<b>Examiner Name</b>	Unknown	
<b>Total Number of Pages in This Submission (including this sheet)</b>	18	<b>Attorney Docket No.</b>	2562.SMII.NP

ENCLOSURES (check all that apply)			
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Appeal Communication: <input type="checkbox"/> Appeal Notice <input type="checkbox"/> Appeal Brief <input type="checkbox"/> Reply Brief <input type="checkbox"/> Assignment with Cover Sheet <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Check in the amount of \$____ <input checked="" type="checkbox"/> Credit card authorization in the amount of \$ <u>900.00</u> <input type="checkbox"/> Declaration & Power of Attorney <input checked="" type="checkbox"/> Drawings <u>14</u> sheets <input checked="" type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Extension of Time Request _____ month <input checked="" type="checkbox"/> Fee Calculation Table <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form 1449 <input type="checkbox"/> Copies of IDS References <input type="checkbox"/> Issue Fee Transmittal & Advance Order	<input type="checkbox"/> Maintenance Fee Transmittal _____ year <input checked="" type="checkbox"/> Missing Parts Response <input type="checkbox"/> Notification of Change of Attorney Address & Docket Number <input checked="" type="checkbox"/> Return Postcard <input type="checkbox"/> Revocation & Power of Attorney <input type="checkbox"/> Status Inquiry <input type="checkbox"/> Other:	
<b>Remarks</b>			
<b>SIGNATURE OF APPLICANT, ATTORNEY OR AGENT</b>			
Attorney for Applicant	David W. O'Bryant, Registration No. 39,793 MORRISS O'BRYANT COMPAGNI, P.C. 136 South Main Street, Suite 700 Salt Lake City, Utah 84101 (801) 478-0071 telephone; (801) 478-0076 facsimile		
Signature		Date	8/23/2004
<b>CERTIFICATE OF MAILING UNDER 37 CFR § 1.8</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the date indicated below, in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or Printed Name	David W. O'Bryant		
Signature		Date	8/23/2004

<b>OFFICE OF THE PATENT AND TRADEMARK OFFICE</b> <b>FEE TRANSMITTAL</b> <b>FY 2004</b> <small>Patent fees are subject to annual revision.</small>		<i>Complete if Known</i>		
		Application Number	10/760,551	
		Filing Date	January 30, 2004	
		First Named Inventor	Russell Steel	
		Examiner Name	Unknown	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Group Art Unit	3742	
TOTAL AMOUNT OF PAYMENT		\$900.00	Attorney Docket No.	2562.SMII.NP

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)							
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None											
<input checked="" type="checkbox"/> Deposit Account:											
Deposit Account: <span style="border: 1px solid black; padding: 5px; font-size: 1.2em;">50-0881</span>											
The Commissioner is authorized to: (check all that apply)											
<input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments											
<input checked="" type="checkbox"/> Charge any additional fee(s)											
<input type="checkbox"/> Charge fee(s) indicated below, except the filing fee to the above-identified											
FEE CALCULATION											
1. BASIC FILING FEE											
Large Entity		Small Entity									
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Description	Fee Paid		
1001	770	2001	385	Utility filing fee	770.00	1051	130	Surcharge - late filing fee or oath	130.00		
1002	340	2002	170	Design filing fee		1052	50	Surcharge - late provisional filing fee or cover sheet			
1003	530	2003	265	Plant filing fee		1053	130	Non-English specification			
1004	770	2004	385	Reissue filing fee		1812	2,520	For filing a request for <i>ex parte</i> reexamination			
1005	160	2005	80	Provisional filing fee		1804	920*	Requesting publication of SIR prior to Examiner action			
SUBTOTAL (1)					\$770.00	1805	1,840*	Requesting publication of SIR after Examiner action			
						1251	110	Extension for reply within first month			
						1252	420	Extension for reply within second month			
						1253	950	Extension for reply within third month			
						1254	1,480	Extension for reply within fourth month			
						1255	2,010	Extension for reply within fifth month			
						1401	330	Notice of Appeal			
						1402	330	Filing a brief in support of an appeal			
						1403	290	Request for oral hearing			
						1451	1,510	Petition to institute a public use proceeding			
						1452	110	Petition to revive -unavoidable			
						1453	1,330	Petition to revive -unintentional			
						1501	1,330	Utility issue fee (or reissue)			
						1502	480	Design issue fee			
						1503	640	Plant issue fee			
						1460	130	Petitions to the Commissioner			
						1807	50	Processing fee under 37 CFR 1.17(q)			
						1806	180	Submission of Information Disclosure Stmt			
						8021	40	Recording each patent assignment per property (times number of properties)			
						1809	770	Filing a submission after final rejection (37 CFR §1.129(a))			
						1810	770	For each additional invention to be examined (37 CFR § 1.129(b))			
						1801	770	Request for Continued Examination (RCE)			
						1802	900	Request for expedited examination of a design application			
						Other fee (specify) _____					
SUBTOTAL (2)						\$0.00	SUBTOTAL (3)				\$130.00

Name (Print/Type)	David W. O'Bryant	Registration No.	39,793	Telephone	(801) 478-0071
Signature				Date	8/18/2004